

Indiana Minimum Standards for Probation Incentives and Administrative Sanctions Programs

Previous research has demonstrated that the most effective correctional programs incorporate strategies to consistently reinforce desirable behaviors and discourage undesirable behaviors as part of a larger evidence-based supervision approach. As such, providing incentives for meeting case-specific goals of supervision is a powerful tool to enhance individual motivation and promote positive behavior change. Similarly, providing swift, certain, and proportionate sanctions for technical violations allows probation officers to hold violators immediately accountable and improves compliance with conditions. In addition, using incentives in conjunction with sanctions has been shown to reduce recidivism.

The following are minimum standards for probation incentives and administrative sanctions programs, pursuant to IC 11-13-1-8(b)(5) and (6):

I—Stakeholder Collaboration

The following stakeholders should participate in training, planning, and implementation of the incentives and sanctions program:

- Judicial officers
- Prosecutors
- Defense attorneys
- Probation officers and community corrections officers
- Problem-solving court team members
- Treatment providers

II—Training Requirements/Qualifications

Probation officers participating in the department's incentives and sanctions program shall complete the following training requirements and qualifications:

- Indiana Risk Assessment System certification (IRAS and/or IYAS)
- Case management and contingency management training provided by the Indiana Office of Court Services

Stakeholders should attend training on contingency management as part of planning for the incentives and sanctions program.

III—Probation Incentives

Probation departments shall develop written policy and procedure for administering incentives to probationers, including:

- the range of pro-social behaviors which may result in the award of incentives
- examples of incentives which may be awarded
- incentives administered immediately and frequently

IV—Administrative Probation Violation Sanctions

Probation departments shall develop written policy and procedure for administering administrative sanctions to probationers, including:

- the range of violation behaviors which may result in administrative sanctions
- the range of administrative sanctions which may be imposed
- sanctions administered with swiftness, certainty, and proportionality
- due process and procedural protections for use of jail or detention as a sanction

V—Notice Provisions

Probationers shall receive notice of the following:

- Department policies on responses to pro-social behaviors and violations
- Department policies on administering incentives and sanctions
- Department policies on the administrative sanction process (including rights waived under IC 35-38-2-3, IC 31-37-22-3 and IC 31-32-5-1)
- Notice of an alleged probation violation, supporting evidence, and proposed administrative sanction
- Notice that failure to comply with an administrative sanction may result in court referral
- Department policy on review of administrative sanctions

Approved by the Judicial Conference Board of Directors, May 2019